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**JUN 22 2007**

**OFFICE OF PETITIONS**

In re Application of  
BURGESS et al  
Application No.: 09/760,721  
Filing Date: January 17, 2001  
Attorney Docket No.: 922-120

DECISION ON PETITION  
UNDER 37 CFR 1.137(B)

This is a decision on the petition under 37 CFR 1.137(b), filed April 6, 2007, to revive the above-identified application.

The petition is **DISMISSED**.

The above-identified application became abandoned for failure to submit the issue fee and publication fee in a timely manner in reply to the Notice of Allowance mailed May 3, 2005, which set a statutory period for reply of three (3) months. Accordingly, by operation of law, the above-identified application became abandoned on August 4, 2005.

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before June 8, 1995.

The instant petition does not satisfy requirement (3) above. Specifically, the petition fails to state that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)."

Further correspondence with respect to this matter should be addressed as follows:

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Any questions concerning this matter may be directed to Bryan Lin at (571) 272-3303.

*Bryan Lin*

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